

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION

IN RE:	)	Chapter 11
	)	
EASTERN LIVESTOCK CO., LLC,	)	Case No. 10-93904-BHL-11
	)	
Debtor.	)	Hon. Basil H. Lorch III

**FINAL APPLICATION OF HOOVER HULL TURNER LLP FOR  
COMPENSATION AND REIMBURSEMENT OF EXPENSES  
AS SPECIAL COUNSEL FOR JAMES A. KNAUER, CHAPTER 11 TRUSTEE**

Hoover Hull Turner LLP f/k/a Hoover Hull LLP (“Hoover Hull Turner”) hereby makes its final application (“Application”) for the allowance and payment of its attorneys’ fees as special counsel for James A. Knauer, the chapter 11 trustee appointed in this case (the “Trustee”) and for reimbursement of out-of-pocket expenses advanced on behalf of the Trustee. In support of this Application, Hoover Hull Turner states as follows:

1. Petitioning creditors commenced the above-captioned chapter 11 case (“Chapter 11 Case”) against Debtor on December 6, 2010 (“Petition Date”) by filing an involuntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (“Bankruptcy Code”). This Court entered its *Order For Relief In An Involuntary Case And Order To Complete Filing* [Docket #110] on December 28, 2010.

2. On December 27, 2010, the Court entered its *Order Approving The Appointment Of James A. Knauer As Chapter 11 Trustee* [Docket #102] (“Trustee Order”), approving the United States Trustee’s *Notice Of Appointment And Application for Order Approving Appointment of Trustee* [Docket #98] pursuant to 11 U.S.C. § 1104.

3. This Court, by order dated February 1, 2011 [Docket #248], approved the Trustee’s retention of Hoover Hull Turner as the Trustee’s special counsel. The Order approved

the Trustee's employment of Hoover Hull Turner (a) to provide legal advice and litigation analysis to the Trustee regarding the proof of claim filed by Fifth Third Bank ("Fifth Third"), including whether Fifth Third has a valid, perfected, first priority pre-petition claim in the amount asserted in the proof of claim; and (b) to represent the Trustee in the prosecution of claims, if any, asserted against Fifth Third.

4. This Application is the final application filed by Hoover Hull Turner seeking compensation and reimbursement of out-of-pocket expenses advanced by special counsel for the Trustee for the period October 1, 2012, through and including August 30, 2013.

5. In the course of its representation of the Trustee, Hoover Hull Turner has performed a variety of services related to the investigation of claims and objections asserted by or against Fifth Third Bank, N.A., all of which are described in detail in the billing statements attached as **Exhibit A** and prior applications for compensation and reimbursement for expenses. Among other things, Special Counsel reviewed motions related to the appeals of the Court's Order denying certain creditors' motions to remove the Trustee; motions to dismiss appeals of the Court's Order denying the motions to remove the Trustee; prepared Third Interim Application of Hoover Hull LLP for Compensation and Reimbursement of Expenses as Special Counsel for James A. Knauer, Chapter 11 Trustee, reviewed objections to professional fees of Trustee, DSI, Faegre Baker Daniels, Kroger Gardis and Regas, LLP and Hoover Hull, and participated in hearing on fee applications; reviewed transcript of deposition and completed errata sheet; conference calls regarding mediation with counsel for creditors and Mr. Fishman, mediator; communications with Wells Fargo and Fifth Third regarding Rule 2004 exams and exhibits; prepared for and participated in omnibus hearings on fee applications, motion to quash and reviewed Fifth Third's motion to affirm protective order.

6. Hoover Hull Turner has reviewed its detailed summary of time, and has attempted to eliminate double billing for conference time between Hoover Hull Turner's timekeepers, except where the participation of the timekeepers has demonstrable benefit to the estate. The designation of "NC" or "\$0.00" after a description of services means that no time has been charged for those services. Where possible and efficient, Hoover Hull Turner encourages the use of lesser billing rate attorneys to perform labor intensive tasks, with oversight and review by more experienced attorneys.

7. Hoover Hull Turner has redacted its invoices to preserve the applicable attorney client privilege and attorney work product and to otherwise avoid prejudice to the interests of the Trustee. **Exhibit A** provides the detail of the time and hourly billing rate for each attorney, law clerk or paralegal of Hoover Hull Turner who has performed services in this case. A summary of the fees requested by Hoover Hull Turner for each such attorney, law clerk or paralegal and the number of hours worked for each individual, the billing rate requested and the total fees claimed is set forth below, segregated into separate matters for accounting and billing purposes:

Attorney/Paralegal Name	Hours	Rate	Total Fee
ST White	21.8	\$310	\$6,747.28
<b>TOTALS</b>			

**Exhibit B** is a statement of the outstanding amounts due on each invoice contained in **Exhibit A**.

6. Hoover Hull Turner has advanced the sum of \$40.60 for out-of-pocket expenses incurred in connection with this case on behalf of the Trustee during the period from October 1, 2012, through and including August 30, 2013. A summary of the out-of-pocket expenses incurred by Hoover Hull Turner is set forth in **Exhibit A**.

7. On December 19, 2011, this Court granted Hoover Hull Turner's First Interim Application for Compensation and Reimbursement of Expenses as Special Counsel for the

Trustee allowing \$56,757.50 in attorneys' fees and out of pocket expenses in the amount of \$845.64 for the period January 14, 2011, through and including August 31, 2011.

8. On December 18, 2012, this Court granted Hoover Hull Turner's Second Interim Application for Compensation and Reimbursement of Expenses as Special Counsel for the Trustee allowing \$437,214.50 in attorneys' fees and out of pocket expenses in the amount of \$39,043.16 for the period September 1, 2011, through and including October 31, 2012.

9. On March 18, 2013, this Court granted Hoover Hull Turner's Third Interim Application for Compensation and Reimbursement of Expenses as Special Counsel for the Trustee allowing \$6,696.00 in attorneys' fees and out of pocket expenses in the amount of \$375.08 for the period November 1, 2012, through and including February 28, 2013.

10. No agreement or understanding exists between Hoover Hull Turner and any other person or entity for the sharing of compensation received for services rendered in connection with this case.

11. All services rendered and all expenses incurred for which compensation or reimbursement is sought have been rendered or incurred exclusively on behalf of the Trustee and represent necessary and proper legal assistance in the administration of this chapter 11 case.

WHEREFORE, Hoover Hull requests (i) the Court to award compensation by allowing attorneys' fees in the amount of Six Thousand Seven Hundred Forty-Seven Dollars and 28/100 Dollars (\$6,747.28) plus order reimbursement for out-of-pocket expenses incurred in the amount of Forty Dollars and 60/100 Dollars (\$40.60), and (ii) grant Hoover Hull Turner all other just and proper relief.

Respectfully submitted,

/s/ John D. Hoover

John David Hoover (#7945-49)  
[jdhoover@hooverhullturner.com](mailto:jdhoover@hooverhullturner.com)  
 Hoover Hull Turner LLP  
 111 Monument Circle, Suite 4400  
 P.O. Box 44989  
 Indianapolis, IN 46244-0989  
 Telephone: (317) 822-4400  
 Facsimile: (317) 822-0234

Special Counsel for James A. Knauer, Chapter 11  
 Trustee

### **CERTIFICATE OF SERVICE**

I hereby certify that on December 1, 2017, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to counsel of record through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

David L. Abt <a href="mailto:davidabt@mwt.net">davidabt@mwt.net</a>	Amelia Martin Adams <a href="mailto:aadams@dlgfir.com">aadams@dlgfir.com</a>	John W. Ames <a href="mailto:james@bgdlegal.com">james@bgdlegal.com</a>
Kay Dee Baird <a href="mailto:kbaird@kdlegal.com">kbaird@kdlegal.com</a>	Christopher E. Baker <a href="mailto:cbaker@thbkllaw.com">cbaker@thbkllaw.com</a>	Robert A. Bell <a href="mailto:rabell@vorys.com">rabell@vorys.com</a>
C.R. Bowles, Jr. <a href="mailto:cbowles@bgdlegal.com">cbowles@bgdlegal.com</a>	David W. Brangers <a href="mailto:dbrangers@lawyer.com">dbrangers@lawyer.com</a>	Steven A. Brehm <a href="mailto:sbrehm@bgdlegal.com">sbrehm@bgdlegal.com</a>
Kent A. Britt <a href="mailto:kabritt@vorys.com">kabritt@vorys.com</a>	Kayla D. Britton <a href="mailto:Kayla.britton@faegrebd.com">Kayla.britton@faegrebd.com</a>	Joe Lee Brown <a href="mailto:Joe.Brown@Hardincounty.biz">Joe.Brown@Hardincounty.biz</a>
Lisa Koch Bryant <a href="mailto:courtmail@fbhlaw.net">courtmail@fbhlaw.net</a>	John R. Burns, III <a href="mailto:John.burns@faegrebd.com">John.burns@faegrebd.com</a>	John R. Carr, III <a href="mailto:jrciii@acs-law.com">jrciii@acs-law.com</a>
Deborah Caruso <a href="mailto:dcaruso@daleeke.com">dcaruso@daleeke.com</a>	Ben T. Caughey <a href="mailto:Ben.caughey@icemiller.com">Ben.caughey@icemiller.com</a>	Bret S. Clement <a href="mailto:bclement@acs-law.com">bclement@acs-law.com</a>
Joshua Elliott Clubb <a href="mailto:joshclubb@gmail.com">joshclubb@gmail.com</a>	Jason W. Cottrell <a href="mailto:jwc@stuartlaw.com">jwc@stuartlaw.com</a>	Kirk Crutcher <a href="mailto:kcrutcher@mcs-law.com">kcrutcher@mcs-law.com</a>
Jack S. Dawson <a href="mailto:jdawson@millerdollarhide.com">jdawson@millerdollarhide.com</a>	Dustin R. DeNeal <a href="mailto:dustin.deneal@faegrebd.com">dustin.deneal@faegrebd.com</a>	Laura Day Delcotto <a href="mailto:ldelcotto@dlgfir.com">ldelcotto@dlgfir.com</a>
David Alan Domina <a href="mailto:dad@dominalaw.com">dad@dominalaw.com</a>	Daniel J. Donnellon <a href="mailto:ddonnellon@ficlaw.com">ddonnellon@ficlaw.com</a>	Trevor L. Earl <a href="mailto:tearl@rwsvlaw.com">tearl@rwsvlaw.com</a>
Shawna M. Eikenberry <a href="mailto:shawna.eikenberry@faegrebd.com">shawna.eikenberry@faegrebd.com</a>	Jeffrey R. Erler <a href="mailto:jerler@ghjhlaw.com">jerler@ghjhlaw.com</a>	William K. Flynn <a href="mailto:wkflynn@strasstroy.com">wkflynn@strasstroy.com</a>
Robert Hughes Foree <a href="mailto:robertforee@bellsouth.net">robertforee@bellsouth.net</a>	Sandra D. Freeburger <a href="mailto:sfreeburger@dsf-atty.com">sfreeburger@dsf-atty.com</a>	Melissa S. Giberson <a href="mailto:msgiberson@vorys.com">msgiberson@vorys.com</a>
Thomas P. Glass <a href="mailto:tpglass@strasstroy.com">tpglass@strasstroy.com</a>	Patrick B. Griffin <a href="mailto:Patrick.griffin@kutakrock.com">Patrick.griffin@kutakrock.com</a>	Terry E. Hall <a href="mailto:Terry.hall@faegrebd.com">Terry.hall@faegrebd.com</a>
Paul M. Hoffman <a href="mailto:Paul.hoffmann@stinsonleonard.com">Paul.hoffmann@stinsonleonard.com</a>	John Huffaker <a href="mailto:John.huffaker@sprouselaw.com">John.huffaker@sprouselaw.com</a>	Jeffrey L. Hunter <a href="mailto:jeff.hunter@usdoj.gov">jeff.hunter@usdoj.gov</a>

Jay Jaffe <a href="mailto:Jay.jaffe@faegrebd.com">Jay.jaffe@faegrebd.com</a>	James Bryan Johnson <a href="mailto:Bjtxas59@hotmail.com">Bjtxas59@hotmail.com</a>	Todd J. Johnston <a href="mailto:tjohnston@mcjllp.com">tjohnston@mcjllp.com</a>
Jill Zenger Julian <a href="mailto:Jill.Julian@usdoj.gov">Jill.Julian@usdoj.gov</a>	Jay P. Kennedy <a href="mailto:jpk@kgrlaw.com">jpk@kgrlaw.com</a>	Edward M. King <a href="mailto:tking@fbtlaw.com">tking@fbtlaw.com</a>
James A. Knauer <a href="mailto:jak@kgrlaw.com">jak@kgrlaw.com</a>	Erick P. Knoblock <a href="mailto:eknoblock@daleeke.com">eknoblock@daleeke.com</a>	Theodore Konstantinopoulos <a href="mailto:ndohbky@jbandr.com">ndohbky@jbandr.com</a>
Randall D. LaTour <a href="mailto:rdlatour@vorys.com">rdlatour@vorys.com</a>	David A. Laird <a href="mailto:David.laird@moyewhite.com">David.laird@moyewhite.com</a>	David L. LeBas <a href="mailto:dlebas@namanhowell.com">dlebas@namanhowell.com</a>
Martha R. Lehman <a href="mailto:mlehman@kdlegal.com">mlehman@kdlegal.com</a>	Scott R. Leisz <a href="mailto:sleisz@bgdlegal.com">sleisz@bgdlegal.com</a>	Elliott D. Levin <a href="mailto:edl@rubin-levin.net">edl@rubin-levin.net</a>
Kim Martin Lewis <a href="mailto:kim.lewis@dinslaw.com">kim.lewis@dinslaw.com</a>	James B. Lind <a href="mailto:jblind@vorys.com">jblind@vorys.com</a>	Karen L. Lobring <a href="mailto:lobring@msn.com">lobring@msn.com</a>
Jason A. Lopp <a href="mailto:jlopp@wyattfirm.com">jlopp@wyattfirm.com</a>	John Hunt Lowell <a href="mailto:john@lovell-law.net">john@lovell-law.net</a>	Harmony A. Mappes <a href="mailto:harmony.mappes@faegrebd.com">harmony.mappes@faegrebd.com</a>
John Frederick Massouh <a href="mailto:john.massouh@sprouselaw.com">john.massouh@sprouselaw.com</a>	Michael W. McClain <a href="mailto:mccclain@mccclaindeweese.com">mccclain@mccclaindeweese.com</a>	Kelly Greene McConnell <a href="mailto:lisahughes@givenspursley.com">lisahughes@givenspursley.com</a>
James Edwin McGhee <a href="mailto:mcghee@derbycitylaw.com">mcghee@derbycitylaw.com</a>	Brian H. Meldrum <a href="mailto:bmdeldrum@stites.com">bmdeldrum@stites.com</a>	William Robert Meyers, II <a href="mailto:rmeyer@stites.com">rmeyer@stites.com</a>
Kevin J. Mitchell <a href="mailto:kevin.mitchell@faegrebd.com">kevin.mitchell@faegrebd.com</a>	Terrill K. Moffett <a href="mailto:kendalcantrell@moffettlaw.com">kendalcantrell@moffettlaw.com</a>	Allen Morris <a href="mailto:amorris@stites.com">amorris@stites.com</a>
Judy Hamilton Morse <a href="mailto:judy.morse@crowedunlevy.com">judy.morse@crowedunlevy.com</a>	Erin Casey Nave <a href="mailto:enave@taftlaw.com">enave@taftlaw.com</a>	Matthew Daniel Neumann <a href="mailto:mneumann@hhclaw.com">mneumann@hhclaw.com</a>
Walter Scott Newbern <a href="mailto:wsnewbern@msn.com">wsnewbern@msn.com</a>	Shiv Ghuman O'Neill <a href="mailto:shiv.oneill@faegrebd.com">shiv.oneill@faegrebd.com</a>	Matthew J. Ochs <a href="mailto:kim.maynes@moyewhite.com">kim.maynes@moyewhite.com</a>
Jessica Lynn Olsheski <a href="mailto:jessica.olsheski@justice-law.net">jessica.olsheski@justice-law.net</a>	Michael Wayne Oyler <a href="mailto:moyler@rwsvlaw.com">moyler@rwsvlaw.com</a>	Ross A. Plourde <a href="mailto:ross.plourde@mcafeetaft.com">ross.plourde@mcafeetaft.com</a>
Brian Robert Pollock <a href="mailto:bpollock@stites.com">bpollock@stites.com</a>	Wendy W. Ponader <a href="mailto:wendy.ponader@faegrebd.com">wendy.ponader@faegrebd.com</a>	Timothy T. Pridmore <a href="mailto:tpridmore@mcjllp.com">tpridmore@mcjllp.com</a>
Anthony G. Raluy <a href="mailto:traluy@fbhlaw.net">traluy@fbhlaw.net</a>	Eric C. Redman <a href="mailto:ksmith@redmanludwig.com">ksmith@redmanludwig.com</a>	Eric W. Richardson <a href="mailto:ewrichardson@vorys.com">ewrichardson@vorys.com</a>
Joe T. Roberts <a href="mailto:jraty@windstream.net">jraty@windstream.net</a>	David Cooper Robertson <a href="mailto:crobertson@stites.com">crobertson@stites.com</a>	Mark A. Robinson <a href="mailto:mrobinson@vhrllaw.com">mrobinson@vhrllaw.com</a>
Jeremy S. Rogers <a href="mailto:jeremy.Rogers@dinslaw.com">jeremy.Rogers@dinslaw.com</a>	John M. Rogers <a href="mailto:johnr@rubin-levin.net">johnr@rubin-levin.net</a>	Joseph H. Rogers <a href="mailto:jrogers@millerdollarhide.com">jrogers@millerdollarhide.com</a>
James E. Rossow <a href="mailto:jim@rubin-levin.net">jim@rubin-levin.net</a>	Steven Eric Runyan <a href="mailto:ser@kgrlaw.com">ser@kgrlaw.com</a>	Niccole R. Sadowski <a href="mailto:nsadowski@thbklaw.com">nsadowski@thbklaw.com</a>
Thomas C. Scherer <a href="mailto:tscherer@bgdlegal.com">tscherer@bgdlegal.com</a>	Stephen E. Schilling <a href="mailto:seschilling@strausstroy.com">seschilling@strausstroy.com</a>	Ivana B. Shallcross <a href="mailto:ishallcross@bgdlegal.com">ishallcross@bgdlegal.com</a>
Sarah Elizabeth Sharp <a href="mailto:sarah.sharp@faegrebd.com">sarah.sharp@faegrebd.com</a>	Suzanne M. Shehan <a href="mailto:suzanne.shehan@kutakrock.com">suzanne.shehan@kutakrock.com</a>	James E. Smith, Jr. <a href="mailto:jsmith@smithakins.com">jsmith@smithakins.com</a>
William E. Smith, III <a href="mailto:wsmith@k-glaw.com">wsmith@k-glaw.com</a>	Amanda Dalton Stafford <a href="mailto:ads@kgrlaw.com">ads@kgrlaw.com</a>	Joshua N. Stine <a href="mailto:kabritt@vorys.com">kabritt@vorys.com</a>
Andrew D. Stosberg <a href="mailto:astosberg@lloydmc.com">astosberg@lloydmc.com</a>	Matthew R. Strzynski <a href="mailto:indyattorney@hotmail.com">indyattorney@hotmail.com</a>	Meredith R. Theisen <a href="mailto:mtheisen@daleeke.com">mtheisen@daleeke.com</a>

John M. Thompson <a href="mailto:john.thompson@crowedunley.com">john.thompson@crowedunley.com</a>	Kevin M. Toner <a href="mailto:kevin.toner@faegrebd.com">kevin.toner@faegrebd.com</a>	Christopher M. Trapp <a href="mailto:ctrapp@rubin-levin.net">ctrapp@rubin-levin.net</a>
Chrisandrea L. Turner <a href="mailto:clturner@stites.com">clturner@stites.com</a>	U.S. Trustee <a href="mailto:Ustpreion10.in.ecf@usdoj.gov">Ustpreion10.in.ecf@usdoj.gov</a>	Andrew James Vandiver <a href="mailto:avandiver@aswdlaw.com">avandiver@aswdlaw.com</a>
Andrea L. Wasson <a href="mailto:andrea@wassonthornhill.com">andrea@wassonthornhill.com</a>	Jennifer Watt <a href="mailto:jwatt@kgrlaw.com">jwatt@kgrlaw.com</a>	Charles R. Wharton <a href="mailto:Charles.R.Wharton@usdoj.gov">Charles.R.Wharton@usdoj.gov</a>
Michael Benton Willey <a href="mailto:michael.willey@ag.tn.gov">michael.willey@ag.tn.gov</a>	Jason P. Wischmeyer <a href="mailto:jason@wischmeyerlaw.com">jason@wischmeyerlaw.com</a>	James T. Young <a href="mailto:james@rubin-levin.net">james@rubin-levin.net</a>
John D. Dale, Jr. <a href="mailto:Johndaleatty@msn.com">Johndaleatty@msn.com</a>		

/s/ John D. Hoover